

## DOINGS OF THE LEGISLATURE.

## THE LUNACY BILL RECEIVED IN THE SENATE.

Bill to Prevent Information Against the Port of New York by Railroads—Resolution to Increase Number of Supreme Court Justices and Provide for Vacancies in the Court of Appeals.

ALBANY, Feb. 3.—Both houses of the Legislature held short sessions to-night because many Western members were detained on account of last night's storm.

When Assemblyman James Tracy's bill establishing the Boards of Managers of the State Insane Hospitals was received in the Senate for concurrence, Senator Brackett asked that it be substituted for his similar bill now on the order of third reading. Senator Grady objected and the motion was tabled.

Senator Elmer introduced a bill recommending that hereafter no corporation should file a certificate of organization under the Peroy-Gray racing law to conduct running or steeplechase race meetings, unless such certificate shall first be approved by the State Racing Commission.

Senator Brackett introduced a bill providing that the property of a corporation is sold under foreclosure the successful bidder may be assigned, instead of the bidder being compelled to effect the terms of the foreclosure.

Senator Hennessy introduced a bill amending the charter of the New York Zoological Society, now operating in Bronx Park. The charter, as it stands, prohibits any salaried officer from being a member of the Board of Directors and consequently of the Executive Committee. The Secretary, being a salaried officer, is, under the terms of the charter, only a non-voting member of the Board of Directors and Executive Committee. The bill amends that portion of the society's charter providing that a manager receiving any compensation for his services. The bill also strikes out that section of the charter which gives the society practically the power of maintaining only one zoological garden, and substitutes another section providing for enlarged powers of the same general nature. The society as now operated has itself prevented from taking over large tracts of land for the purpose.

Senator Allen introduced a bill to provide for the better protection of life and property by compelling gas companies to place automatic devices on all gas pipes to prevent the escape of gas in case of fire.

Minority Leader Palmer introduced a concurrent resolution in the Assembly which is aimed to obstruct the action of the Governor to exercise the right of appointing County Court Judges to sit as Supreme Court Justices in New York city.

Palmer's resolution provides that no Justice shall be elected in the First and Second Judicial districts, and that from the Justices elected to the Supreme Court the Governor shall select one Justice who shall constitute the Appellate Division in each department and shall designate a presiding Justice thereof, who shall act as an associate Justice of the Court and shall be a resident of the department.

In case of the absence or inability to act of any Justice in the Appellate Division, the President of the Court shall designate a Justice to act in his stead, and the Appellate Division is not in session, the necessary arises for holding an extra, special or trial term in such department, the presiding Justice of the department shall appoint a time and place for the holding of such extra, special or trial term and designate a Justice to preside thereat.

Concerning the Court of Appeals Mr. Henry was the first speaker. The pending bill, he said, would not materially change the present mode of sale of olemargarine. It would still be eaten by those who have found it a wholesome product, and because of its relative cheapness, it would not be so.

Mr. Wadsworth (Rep., N. Y.) said he was glad to hear at last from Mr. Henry that olemargarine was a wholesome product. Mr. Wadsworth objected to the bill because it was class legislation, refusing to one class of manufacturers privileges granted to another; that it was unconstitutional, that it intended to destroy one agricultural interest for the benefit of another.

The passage of the bill was advocated by Mr. Henry (Rep., N. Y.) and Mr. Grady (Rep., Ill.) members of the committee reporting the bill, and antagonized by Messrs. Cook (Dem., Ill.), Burleson (Dem., N. Y.) and Chapin (Dem., N. Y.).

The committee then arose and the House adjourned until to-morrow.

Nominations by the President.

WASHINGTON, Feb. 3.—The President today sent to the Senate the following nominations:

To be Collector of Internal Revenue for the First District of Pennsylvania, William M. McKim, of Philadelphia.

To be Second Lieutenant of Infantry, James M. Fulton, of large Grand Island, Maine.

To be Major of Infantry, John J. Wilson, of New York.

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## PAY OF SENATORS AND JUDGES.

Senators Receive, by 15 to 44, to Increase Their Own Salaries.

WASHINGTON, Feb. 3.—After the routine morning business in the Senate to-day the bill to fix the salaries of certain United States Judges was taken up, the pending question being on the amendment offered by Mr. Stewart (Rep., Nev.) that from and after March 4, 1903, the salaries of Senators, Representatives and Delegates in Congress shall be increased, as follows:

Yess—Burton, Clark of Wyoming, Dubois, Gellender, Gurnea, Harlan, Hawley, McMillan, Kitchener, Quay, Stewart, Turner, Warren and Venable—15.

Nays—Bacon, Bart, Berry, Blackburn, Burnham, Burrows, Carmack, Clapp, Clay, Culberson, Cullum, DeLoach, Dillingham, Doolittle, Fairbank, Fry, Gibson, Hale, Hanna, Hoar, Jones of Alaska, Keam, Keim, Lodge, McPherson, McMillan, Mallory, Martin, Mitchell, Morgan, Mullan, Nelson, Otis, Pettit, Reed, Rogers, Sherman, Spooner, Tamm, Teller, Tillman and Wellington—44.

Mr. Foraker moved to include the United States Judge in Porto Rico in the class of United States District Judges.

Mr. Tillman (Dem., S. C.) asked Mr. Foraker to state whether Porto Rico was in the United States or not.

Mr. Foraker replied that Porto Rico belonged to the United States.

"The question of 'belonging to' and of 'being in' the United States is a very different one," Mr. Tillman said.

Mr. Foraker suggested that there was no time now to discuss that question on the pending bill.

"There is plenty of time now," Mr. Tillman persisted. "We might just as well discuss the question now as at any other time."

"There is no difficulty about my answering it now," said Mr. Foraker. "I will content myself by simply saying that Porto Rico is not in the United States."

Mr. Tillman then asked Mr. Foraker if the salaries of Judges in Porto Rico had been increased by the Supreme Court of the United States.

If the salaries of Judges in Porto Rico had been increased, the salaries of United States Judges in the Territories should be increased.

In view of the opposition manifested to his amendment Mr. Foraker withdrew it.

Mr. Money (Dem., Miss.) expressed the opinion that the President was not getting all the salaries that they should have. He said that he would vote against the bill and all amendments to it, and was very sorry that the bill had ever been reported at all.

Mr. Tillman called attention to a newspaper article exposing the facts in relation to the salary of Judge Payne, who had been found guilty of improper conduct and was now in an hospital at San Francisco, who was still drawing his salary of \$5,000 a year and \$10 a day for expenses, also in reference to District Attorney Wood of Alaska, who was in jail under a like sentence and still drawing \$5,000 a year.

Mr. Teller asserted that the power of the President in the matter was simple. There could not be any question as to the power of the Executive to remove this Judge at any time.

Further discussion the Judicial Salary bill and pending amendment went over without action.

OLEOMARGARINE BILL DERATED.

Mr. Wadsworth (Rep., N. Y.) Leads the Opposition to the Measure.

WASHINGTON, Feb. 3.—There was a renewal in the House to-day of the contest between the dairy and oleomargarine interest, which has raged in the Congress for nearly a score of years, and it will continue for two or three days longer, as it is now being reported by the Committee on Agriculture to tax uncolored oleomargarine one-quarter of a cent a pound and oleomargarine made to look like butter ten cents a pound, and requiring manufacturers of and dealers in oleomargarine to place automatic devices on all gas pipes to prevent the escape of gas in case of fire.

The committee was divided, five of the seventeen members dissenting from the majority report, and Mr. Wadsworth (Rep., N. Y.), the chairman, Mr. Wadsworth (Rep., N. Y.), a bill intended to prevent fraud in the sale of the article with less generous provisions than those of the majority report.

Mr. Henry (Rep., Conn.), the House went into Committee of the Whole on the bill, was agreed to—175 to 73—and the discussion of the bill was begun under general debate.

Mr. Henry was the first speaker. The pending bill, he said, would not materially change the present mode of sale of olemargarine. It would still be eaten by those who have found it a wholesome product, and because of its relative cheapness, it would not be so.

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## CONFERENCE ON SCHLEY.

The President Talks With Four Commanders of Vessels in Santiago Fight.

WASHINGTON, Feb. 3.—President Roosevelt has determined that before rendering a final decision on the appeal of Rear Admiral Schley he will personally inquire into the movements of the battleship Brooklyn during the memorable battle of Santiago.

In furtherance of his wish to hear from eye witnesses the story of the Brooklyn's loop, her proximity to the Texas, and, in fact, her whole conduct from the time the Spanish fleet was discovered coming from the harbor until the Colon struck her colors at the close of the fight, he to-day had a conference at the White House with Rear Admiral Evans, who commanded the Iowa; Rear Admiral Taylor, who commanded the Indiana; Capt. Clark, who commanded the Oregon; and Commander Wright, who commanded the Little Gloucester.

The President had read the testimony of each of these officers, but requested that they be ordered to Washington to tell him what they could of the part taken by the Brooklyn in the destruction of Cervera's fleet.

They went to the White House this forenoon and were questioned by the President until after 1 P. M. He then invited them to luncheon and continued to hear their account of the battle.

In order to secure as much credit as possible for the victory, Rear Admiral Schley has made special efforts in his appeal to have the President justify and approve Admiral Dewey's statement that he was in command of the fleet. The appeal lays particular stress on the fact that the Brooklyn gave signals to the other vessels at the time the Spanish vessels emerged and later when the fight was raging.

On the other hand the President has had his attention brought to the statement of Admiral Schley that the Brooklyn was in danger to the Brooklyn from the rear, which he claimed made the loop advisable.

It was said to-night that these points were being argued by the Brooklyn's officers, and that neither of the officers deviated the slightest from his statement to the Court of Inquiry.

Commander Wright was the first to speak, and he signalled by the Brooklyn during the engagement of July 3, and he was equally certain that the Spanish ships did not steam in front of the Brooklyn.

He said that he was not a member of the court, but that he was certain that the Spanish ships were trying to ram the Brooklyn. Rear Admiral Taylor's ship, the Indiana, was next to the Gloucester, and he saw the Brooklyn's signal.

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## HOUSE REPUBLICAN CAUCUS.

Full Discussion of Southern Representation.

Resolution Offered to Reduce It in States Where Suffrage is Unconstitutionally Restricted—The Southern Members Opposed and Action Was Postponed.

WASHINGTON, Feb. 3.—After a debate of three hours over the advisability of beginning an investigation into the election laws of the different States and into the charges that the right of suffrage is unconstitutionally abridged in some instances, the caucus of the Republican members of the House to-night postponed action for one week.

Great latitude in debate was given to the members, and free discussion of the matter in hand.

Representative Crumpacker of Indiana, who had circulated the call for the caucus on behalf of those interested, offered a resolution to the effect that the Committee on Rules should report a resolution as a substitute for those now pending before it, providing that the Speaker should appoint a select committee of 11 to investigate whether the right to vote of any member of any State is denied or abridged by the Constitution and laws of any State, except for crime, and if such is found to be the fact, the committee shall report, by bill or otherwise, such measure as may be necessary to place the representation of such State in the House of Representatives upon a Constitutional basis.

Mr. Crumpacker spoke at some length in support of his resolution, which, he said, he believed met with the approval of those who had supported the movement and was acceptable to them.

He said that he believed the Constitution imposed upon the House of Representatives the duty, as well as giving it the authority, to restrict representation to States where suffrage was unconstitutionally restricted.

Mr. Taylor of Ohio, Moody of Massachusetts and Dayton of West Virginia followed in a similar strain, and the sentiment of their constituents was in favor of action at this Congress.

Mr. Moody of North Carolina was the first to oppose the resolution. He appealed to the Republicans not to reduce the representation, which he said would solidify sentiment in the South, and he said that no Southern Republican member could expect to be returned, but, on the other hand to adopt a Federal election law which would give them an equal vote.

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## CHINESE INDEMNITY QUESTIONS.

Ministers Haven't Power to Decide Them—To Retain Control of Policy.

Special Cable Dispatch to THE SUN.

PEKING, Feb. 3.—The Ministers to-day decided not to give a definite answer to the communication from Viceroy Yuan Shih Kai, requesting that that portion of Tientsin now under the control of a foreign provisional government be turned over to him for administrative purposes. The Ministers communicated on the subject with their respective Governments, but several of them have as yet received no instructions.

The Portuguese Minister requested that to receive the indemnity payments from China. The request was refused on the ground that Portugal had not signed the protocol.

No decision has been reached concerning the indemnity claims filed in November by Sweden and Norway. It is uncertain whether these claims will be allowed, it being held that they were received too late.

Decision was refused in the matter of the regulations submitted by the Bankers' Commission. The Ministers also refused to decide the questions propounded by the commission regarding the rate of exchange at which the indemnity payments should be accepted and whether the minutes of the commission should be kept in the English or French language. The Ministers concluded that they had no authority to decide such questions, but each Minister will advise his own Commissioner individually.

Gen. Yung Lu, who, despite his complicity in the Boxer movement, now holds the highest office in the empire, completed his appeal to the Ministers to-day. He was received by the Ministers at most of the legations. One of the